

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHAUN ROBERTS and KEN SHEPPARD,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

STEPHEN EHRLICH, and EVAN
PSAROPOULOS,

Defendants.

Case No. 1:22-cv-09590-PKC

CLASS ACTION

Judge: Hon. P. Kevin Castel

Date: October 8, 2024

Time: 2:00 PM

**NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND PLAN OF ALLOCATION**

TO: ALL PARTIES AND COUNSEL OF RECORD

PLEASE TAKE NOTICE that on October 8, 2024, at 2:00 p.m., or at such other time as may be set, in Courtroom 11D of the U.S. District Court for the Southern District of New York, located at 500 Pearl St. New York, New York 10007-1312, Lead Plaintiffs Johnny Johnson, Eirian Johnson, and Ezra Boekweg (“Lead Plaintiffs”), along with additional named plaintiffs Shaun Roberts, Ken Sheppard, and Randy Roberts (together with Lead Plaintiffs, “Plaintiffs”), will, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, respectfully move the Court for entry of the proposed Judgment and Order Granting Final Approval of Class Action Settlement, which grants final approval of the proposed class action settlement on the terms set forth in the Stipulation and Agreement of Settlement and Release dated April 3, 2024 (“Stipulation”) (ECF No. 83-1), and for entry of an order which approves the proposed plan of allocation of the settlement proceeds.

This motion is based on the Stipulation and related settlement exhibits; the accompanying Memorandum of Points and Authorities in support hereof; the Declarations of Sean Masson, James Taylor-Copeland, Daryl Scott, and the named Plaintiffs; the Court's order granting preliminary approval of the settlement; all of the prior pleadings in this Action; and such additional evidence or argument as may be presented to or required by the Court.

Proposed orders will be submitted with Plaintiffs' reply submission on or before October 1, 2024.

Dated: August 27, 2024

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s/ Sean T. Masson

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Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically provide notice to all counsel of record.

s/ Sean Masson
Sean Masson